

DISCRIMINATION, BULLYING AND SEXUAL HARASSMENT POLICY

INTRODUCTION

The Australian Italian Club Inc (the AIC) is committed to promoting a fair, safe and healthy workplace/club environment where all members are treated with dignity, respect and no individual feels threatened, bullied, or intimidated.

Discrimination, bullying or sexual harassment in any form is unacceptable behavior and will not be tolerated or condoned. The AIC acknowledges that a person's health, wellbeing and morale can be affected by discrimination, bullying or sexual harassment including anyone who witnesses unwanted behavior.

This policy applies to all members of the AIC. We understand we have a duty to implement this policy. We ask that all members have the responsibility to ensure the AIC is free from discrimination, bullying and sexual harassment including at meetings, events and social functions that the AIC hosts.

This policy is available on the AIC website at aichobart.com.au, and hard copies available at the club. New members will receive the policy upon joining the AIC.

DISCRIMINATION

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability (see list below).

Discrimination can occur:

Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law.

*For example, a member is harassed and humiliated because of their race
or*

A member is refused because they are 'too old'

Indirectly, when an unreasonable requirement, condition or practice is imposed that disadvantages people with a personal characteristic protected by law.

For example, everyone is asked to attend weekly meetings at 8.30 am which some members/employees with family responsibilities can't make because they have to take their children to school.

Protected personal characteristics under law include:

- (a) race;
- (b) age;
- (c) sexual orientation;
- (d) lawful sexual activity;
- (e) gender;
- (ea) gender identity;
- (eb) sex characteristics;

- (f) marital status;
- (fa) relationship status;
- (g) pregnancy;
- (h) breastfeeding;
- (i) parental status;
- (j) family responsibilities;
- (k) disability;
- (l) industrial activity;
- (m) political belief or affiliation;
- (n) political activity;
- (o) religious belief or affiliation;
- (p) religious activity;
- (q) irrelevant criminal record;
- (r) irrelevant medical record;
- (s) association with a person who has, or is believed to have, any of these attributes.

It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future.

BULLYING

Bullying can be one-off or repeated unreasonable behavior towards a person or group of people which creates a risk to health and safety. Unreasonable behavior is what a reasonable person, considering the circumstances, would see as unreasonable. Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair practices in the workplace/club environment.

Bullying can be physical, verbal, and nonverbal. Some examples (but not limited to) are:

- Threats (both physical or emotional), abuse or shouting
- Insulting or abusive comments including offensive, sarcastic and demeaning language
- Inappropriate or unconstructive criticism or complaints
- Exclusion from workplace/club conversation or activities including denying access to information, or resources
- Misinformation

SEXUAL HARASSMENT

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written. It can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments or jokes
- displaying offensive screen savers, photos, calendars or objects
- repeated unwanted requests to go out
- requests for sex
- sexually explicit posts on social networking sites
- insults or taunts of a sexual nature
- intrusive questions or statements about a person's private life
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.

Just because someone does not object to inappropriate behaviour in the workplace/club environment at the time, it does not mean that they are consenting to the behaviour.

Sexual harassment is covered in the workplace/club environment when it happens at work, at work-related events, between people sharing the same workplace, between colleagues outside of work, or at club events.

The AIC recognises that comments and behaviour that do not offend one person can offend another. This policy requires all members to respect other people's limits.

VICTIMISATION

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under discrimination or equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating a discrimination concern or complaint.

GOSSIP

It is unacceptable for members of the AIC to talk with other members, or other people, about any complaint of discrimination, bullying or sexual harassment.

Breaching the confidentiality of a formal complaint or inappropriately disclosing personal information obtained in a professional role (for example, as a member of the Committee) is a breach of this policy.

WHAT TO DO IF YOU EXPERIENCE BULLYING, DISCRIMINATION OR SEXUAL HARASSMENT

The AIC strongly encourages any member who believes they have been discriminated against, bullied, sexually harassed or victimised to take appropriate action by one of the following options:

INFORMAL APPROACH

We encourage all members to seek appropriate measures to address the issue in an informal and cooperative matter. This may include making it clear to the person that you are not comfortable with their behavior and ask them to stop, either verbally or in writing.

Complaints of discrimination, bullying and sexual harassment may be of a sensitive nature and the AIC acknowledges some members may find it difficult to raise the issue directly with the person.

FORMAL COMPLAINT

If no success is gained through an informal approach, or the member would like to make a formal complaint, a complaint can be brought by writing to any committee member.

EXTERNAL COMPLAINTS

If a member is not satisfied with an outcome, or for any other reason, it is open to a member to make a complaint to an external organisation.

Members may contact the following organisations for information about complaints:

- Equal Opportunity Tasmania: 1300 305 062 or (03) 6165 7515, <https://equalopportunity.tas.gov.au/>
- Australian Human Rights Commission: 1300 656 419, <https://humanrights.gov.au/>
- WorkSafe Tasmania: 1300 366 322 or (03) 6166 4600, <https://www.worksafe.tas.gov.au/>